

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

Dr. Ronnie Johnson

Plaintiff

v.

CASE NO. 5:19cv00248DPM

Watson Chapel School District and
Dr. Jerry Guess

Defendants

AMENDED COMPLAINT

1. Plaintiff Dr. Ronnie Johnson is a citizen of the United States. She resides in Jefferson County, Arkansas.

2. The defendant is the Watson Chapel School District located in Jefferson County, Arkansas. Dr. Jerry Guess is the Superintendent of Schools of the district.

3. Venue for this action is in the Eastern District of this court, Pine Bluff division.

4. This civil rights action seeks to enforce rights provided pursuant to Title VII of the 1964 Civil Rights Act, 42 U.S.C. § § 2000 € et seq. and 1981 and 1983.

5. The court's jurisdiction is invoked pursuant to 28 U.S. C. § 1343 and 42 U.S.C. § 2000€, et seq.

6. Plaintiff is principal of the district's Watson Chapel Coleman

Intermediate School. She has an Educational Doctorate Degree (Ed.D.) and more than 40 years' experience as a teacher and school administrator.

7. Plaintiff has filed two previous civil rights actions against the district regarding its unlawful employment practices. Each was resolved in her favor.

8. Because of recent adverse acts toward Dr. Johnson by the Watson Chapel school officials, she filed two charges of unlawful discrimination due to her race or color and due to retaliation with the Equal Employment Opportunity Commission (EEOC). The EEOC case numbers are 493-2019-00731 and 493-2018-02091

9. This action is being filed within ninety days of her receipt of the Notices of Right to Sue.

10. In September 2018, Assistant Superintendent Bill Tietz informed Dr. Johnson that he had hired a white teacher, John Doe, for the 5th grade. Dr. Johnson was not involved as principals are expected to be in Mr. Doe's hiring.

11. Within several weeks, Dr. Johnson learned that John Doe was not attending to his class and was engaging in practices that she found unusual. In Dr. Johnson's conversations with Mr. Doe, he told her that he heard voices.

12. Dr. Johnson spoke with Mr. Doe in her office in late September.

Mr. Doe told Dr. Johnson that he was “unfamiliar with black people.” He also indicated that he was hearing voices and that he needed help. He told the students in his class that he had a condition known as Asperger’s syndrome. Because of Mr. Doe’s strange behavior, Johnson informed Mr. Tietz and Dr. Guess that Mr. Doe should be removed as a teacher because she feared for the safety for the students and staff.

13. In response to Dr. Johnson’s concerns, she was informed by Dr. Guess to work with Mr. Doe, help him because Doe was a “good ole boy” and that she needed to take care of him.

14. Mr. Doe remained on Dr. Johnson’s campus for several more weeks. Mr. Doe also remained on the district’s payroll for an indefinite period of time.

15. While the Doe’s matter was pending, Dr. Guess and Mr. Tietz gave Dr. Johnson a letter of reprimand dated five months earlier under the administration of the previous superintendent. Mr. Tietz had never evaluated or discussed an educational matter with Johnson before he signed his name to the belatedly delivered letter.

16. Dr. Guess informed Dr. Johnson that she had to do better or she would be terminated. He treated Dr. Johnson less favorably than he did Mr. Tietz and Mr. Doe, men whose relative work Johnson complained about.

17. The district was aware at the time of Dr. Guess’s reprimand of

Dr. Johnson's pending EEOC charge regarding her having been physically assaulted by Mr. Tietz in the workplace. A reasonable person might have been dissuaded from engaging in protected activity because of the reprimand.

18. Shortly after Johnson received the letter of reprimand, Dr. Guess placed her under the supervision of Ms. Linda Davis, Director of K-6 Curriculum. This constituted punishment in that superintendents ordinarily supervise principals, not district curriculum coordinators. A reasonable person might have been dissuaded from engaging in protected activity because of this change in the chain of command.

19. On February 11, 2019, Dr. Johnson was suspended and told by Dr. Guess to "get off the campus, ...don't set foot back on the campus and get all of your stuff out of the office ...", pending an investigation which could lead to termination. This came in response to a disagreement between Dr. Johnson and Ms. Linda Davis over test scores and extracurricular activities. Plaintiff did not behave in a manner that would justify the suspension. Even though the suspension was paid, it might have dissuaded a reasonable person from filing an EEOC charge.

20. EEOC Charge No. 493-2019-00731, Exhibit 1, represents Dr. Johnson's charge that she was treated differently from other persons of her race, sex and age and that the actions were in retaliation for filing a previous charge of discrimination in violation of Title VII.

21. The actions by Dr. Guess, with respect to Dr. Johnson's work as

principal of Coleman Intermediate School constitute disparate treatment. They are due to Johnson's race, age, and gender. Further, Guess's actions are retaliatory because Dr. Johnson filed her previous charge of discrimination with the EEOC.

22. Johnson has been subjected to unlawful discrimination due to race because she was treated in a different manner from white co-workers.

WHEREFORE, Dr. Johnson prays that this matter be set for early hearing before a jury and that she thereafter be awarded such relief to which she is entitled because of defendant's treatment including an injunction against continued discrimination in retaliation for having filed her EEOC charge and damages for having subjected her to the treatment set forth herein. She also prays for her costs and reasonable attorneys' fees.

Respectfully submitted,

/s/John W. Walker
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